

**LEWIS, HUPPERT & SLOVAK, P.C.**  
**ATTORNEYS AT LAW**

P. O. BOX 2325  
725 - 3rd AVENUE NORTH  
GREAT FALLS, MONTANA 59403  
(406) 761-5595 - (406) 761-5805 (Fax)

DEC 14 2000

482965

Tom L. Lewis  
Andrew D. Huppert  
J. David Slovak  
Mark M. Kovacich

*Legal Assistant:*  
Sharon M. Frye

December 7, 2000

FAXED AND MAILED

Mr. Matthew Cohn, ENF-L  
999 18th Street, Suite 500  
Denver, CO 80202

RE: Mel and Lerah Parker / Libby Asbestos Site  
Our File No. 00-039

Dear Mr. Cohn:

Pursuant to our telephone discussion of yesterday, I write to advise that EPA is authorized by Mel and Lerah Parker to use the Lloyd Barrie appraisal and to disclose it to other governmental agencies. However, the appraisal must be treated as confidential. Specifically, it is not to be disclosed to W. R. Grace & Co. or any other private entity without the express permission of the Parkers. Please make sure that any other governmental agency to which the Barrie appraisal is provided fully understands this limitation and protects the confidentiality of this document.

You should also understand that we do not recognize as valid those portions of the Barrie appraisal setting forth depreciated values for the property in question. Depreciated value has no relevance to determining the actual replacement value to which the Parkers are entitled under the law.

The Parkers require expedited action on this matter and not additional dilatory treatment of their rights. The \$2,065 per month they receive from the EPA does not begin to cover their expenses, because they have approximately \$1,700 per month in unavoidable expenses related to their defunct business. This leaves little income for living expenses.

We need to reach resolution of this matter. I propose that EPA immediately compensate the Parkers for their undisputed personal property loss in the amount of \$546,420.91. Please provide a prompt response to this proposal.

I have repeatedly requested a copy of your latest draft agreement between the Parkers and the EPA. I have specifically requested that all proposed attachments be provided for my review.

Mr. Matthew Cohn  
December 7, 2000  
Page Two

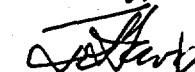
There has been no response to this request. Please provide this documentation as soon as possible.

Once again, I remind you that EPA has taken over the Parkers' property, demolished some of their buildings, and disposed of their personal assets without paying compensation. They are dispossessed of the property and have been advised that EPA's contractors are about to move off the property for the Winter. Please provide a response to my November 16, 2000 letter to you, in which I request on behalf of the Parkers that EPA provide assurances that the Parkers' will be held harmless and indemnified for liability that may arise from the condition the property is left in by EPA and its contractors while the property is unoccupied for the Winter.

I urge you to act immediately on this very important matter.

Thank you.

Sincerely,



Tom L. Lewis

TLL:jlw

c: Mel and Lerah Parker  
Mr. Eric Thueson